

**REMARKS**

Claims 7-8 and 10-12 are pending in the application. By this Amendment, claim 7 has been amended, claims 1, 3-6 and 9 have been canceled and claims 10-12 have been added. The subject matters of new claims 10-12 are supported by claims 3-5. Therefore, no new matter has been added by this Amendment. It is submitted that this Amendment is fully responsive to the Office Action dated July 23, 2010.

**Claim Rejections - 35 U.S.C. §112**

**Claims 1 and 3-6 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.**

**Claim Rejections - 35 U.S.C. §103**

**Claims 1, 3-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al. (USP 7,177,523) in view of Okabayashi et al. (USP 6,751,399) and further in view of Ohmori et al. (USP 6,678,397).**

It is respectfully submitted that these rejections are now moot in view of this Amendment.

**Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okabayashi et al. (USP 6,751,399) in view of Matsumoto et al. (USP 7,177,523).**

This rejection is respectfully traversed. Claim 7 recites feature of *“a first renewer which, when an operation for shortening said renewing interval is made by said changer, renews the renewing interval of the register to a shortened value and immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently reproduced.”*

With regard to this feature, the Examiner relies on Matsumoto and presents her argument (please see page 15, item 27 to page 17, line 13 of the Action). However, the Examiner omits the feature of “immediately renews.” This is wrong based on the following legal precedence.

"All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970) (also see MPEP 2143.03).

In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983)

Distilling an invention down to the "gist" or "thrust" of an invention disregards the requirement of analyzing the subject matter "as a whole." *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983) (also see MPEP 2141.02).

It is submitted that the above claimed feature clearly recites:

when an operation for shortening said renewing interval is made by said changer,  
the first renewer

- (i) renews the renewing interval of the register to a shortened value and
- (ii) immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently reproduced.

These two operations (i) and (ii) of the first renewer are executed if the condition of “an operation for shortening said renewing interval is made by said changer” is met. Therefore, the claimed invention as a whole should be considered as such. In other words, when an operation for shortening said renewing interval is made by said changer, the first renewer immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently reproduced.

Specifically, regarding the claimed feature of “when an operation for shortening said renewing interval is made,” the Examiner relies on the portion of Matsumoto (hereinafter DISCLOSURE 1):

as the number of images that have been fed is increased, the interval for feeding images (the interval for renewing a displayed image) is shortened (see page 15, bottom to page 16, line 1 of the Action).

This Examiner’s relied-upon DISCLOSURE 1 of Matsumoto corresponds to the steps S11 and S13 of Fig. 2 of Matsumoto. For example, at step S11, if the number of the images that have been fed is equal to or greater than six, the key timer value is set to 5 at the step S12. It is important that following this, in response to the processes at steps S10, S12 and S14, the image on the display is automatically and continuously renewed at renewal intervals that match the individual processes (step S15) (column 6, lines 52-55). Accordingly, Matsumoto clearly describes that, when the interval for feeding images (the interval for renewing a displayed image) is shortened, the image is automatically and continuously renewed at renewal intervals that match the key timer value. This is what Matsumoto teaches to one of ordinary skill in the art (not to the Examiner). In the framework of the obviousness, the proper standard is what prior art teaches to one of ordinary skill in the art:

It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. *In re Wesslau*, 353 F.2d 238, at 241 (CCPA 1965)

Accordingly, DISCLOSURE 1 does not disclose the claimed feature “when an operation for shortening said renewing interval is made by said changer, the first renewer immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently.”

On the other hand, regarding the operation (i) of the first renewer, the Examiner argues that, by relying on column 7, lines 9-12 (hereinafter DISCLOSURE 2):

Matsumoto discloses where the images stored on a recording medium are sequentially read and reproduced by depressing the image feed switch, column 7 line 9-12. Since Matsumoto discloses the images stored and on a recording medium and are sequentially read and reproduced by depressing the image feed switch, therefore, it is clear to the examiner that by reproducing the images in sequential order it obvious that an accepted reproducing time is associated with a current frame, which reads upon the claimed limitation (see page 17 of the Action).

This statement and the disclosure of Matsumoto are unrelated to the claimed feature of “when an operation for shortening said renewing interval is made.” Therefore, first, the Examiner cannot solely rely on DISCLOSURE 2 regarding the claimed feature “when an operation for shortening said renewing interval is made by said changer, the first renewer immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently.” Second, even if assuming *arguendo* that the Examiner may combine the above-discussed DISCLOSURE 1 and DISCLOSURE 2, such combination does not change anything described in Fig. 2 of Matsumoto because both of them describe the same embodiment of Fig. 2, and, at the step S01 of Fig. 2, the image feed key is already depressed.

Therefore, such combination still fails to disclose or fairly suggest the claimed feature “when an operation for shortening said renewing interval is made by said changer, the first renewer immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently.”

To more clearly distinguish over the cited references in view of the above, claim 7 has been amended as including “*wherein said reproducer includes a first renewer which, when an operation for shortening said renewing interval is made by said changer, renews the renewing interval of the register to a shortened value and, after that, immediately renews a frame currently being reproduced at an accepting timing of the operation to a frame to be subsequently reproduced without waiting for a lapse of the renewing interval of the register.*” This Amendment is supported by, for example, Fig. 5 and the specification (page 5, lines 4-5 and page 7, lines 15-21).

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/700,518  
Art Unit: 2621

Amendment under 37 C.F.R. §1.116  
Attorney Docket No. 032085

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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